

MINUTES OF THE LAFAYETTE COMMON COUNCIL
JUNE 1, 2000
REGULAR SESSION

The Common Council of the City of Lafayette, Indiana met in regular session on Monday, June 1, 2000, at 7:00 p.m. in the City Hall Council Chambers, 20 North 6th Street, Lafayette, Indiana.

President Rhoda called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was given to the flag of our Country.

The following members were:

Present: Boehning, Klink, Meyer, Probasco, Campbell, Brown, Fisher, Roswarski, Rhoda
Absent: None

The City Clerk stated that there was a quorum present.

City Clerk Lisa Decker and City Attorney Eric Burns were present.

Councilman Campbell moved to recess for public hearings on Ordinance 2000-20, Ordinance 2000-21, Ordinance 2000-22 and Ordinance 2000-24, Councilman Fisher seconded. The motion passed by unanimous voice vote. Councilman Probasco stated that there would be an amendment proposed for Ordinance 2000-20. The Clerk read the title for Ordinance 2000-20, An Ordinance Vacating Gravier Street in the City of Lafayette, Indiana, Petitioner, City of Lafayette. James Bunch, owner of Lot 10 on Gravier Street spoke regarding Ordinance 2000-20. Raymond Parnell, 3895 Penbrook Lane, spoke in favor of the ordinance. Dick Murray, owner of adjacent property, expressed his interest in purchasing up to the centerline of the vacated street. Eric Burns, City Attorney, addressed several questions. Councilman Campbell suggested that the ordinance should be tabled at the appropriate time to resolve some of the issues that have been raised. The Clerk read the title of Ordinance 2000-21, An Ordinance Vacating Rheim Street in the City of Lafayette, Indiana, Petitioner, City of Lafayette. Elizabeth Kinder-Center, 1621 Washington Street, stated that she did not want the hill developed. Mr. Murray addressed council. Mr. Burns addressed several questions. There was no public comment on Ordinance 2000-22 (Sewage Works Revenue Bonds for 2000) or Ordinance 2000-24 (An Additional Appropriation). Councilman Campbell moved to reconvene the regular session, Councilman Brown seconded. The motion passed by unanimous voice vote.

Councilman Fisher moved to approve the minutes from the May 1, 2000 regular session, Councilman Boehning seconded. The minutes were approved by unanimous voice vote.

The Clerk stated that there were no Presentations or Disposal of Claims or Presentations of Petitions or Communications.

The Clerk stated that the following reports are available in the Clerk's Office:

- Clerks Office Monthly – March 2000
- Controller's Office Monthly – April 2000
- Motor Vehicle Monthly – April 2000
- Police Traffic Report – April 2000
- Water Pollution Control 1999 Annual
- Miscellaneous Monthly Department Reports

Ordinances for Second Reading:

The Clerk read Ordinance 2000-5 (An Ordinance Annexing Certain Real Estate to the City of Lafayette, Moore Farm, Petitioner, G & L Development) by title only for second and final reading. Councilman Probasco moved for passage, Councilman Klink seconded. Marianne Owen, Stuart and Branigan, explained the proposal for a voluntary annexation of approximately 80 acres located on the east side of Creasy Lane. Ordinance 2000-5 passed 8-0 on a roll call vote.

The Clerk read Ordinance 2000-20 (An Ordinance Vacating Gravier Street in the City of Lafayette, Indiana, Petitioner, City of Lafayette) by title only for second and final reading. Councilman Campbell moved for passage, Councilman Meyer seconded. Councilman Probasco moved to amend Ordinance 2000-20 in its entirety with the amended copy that was distributed to council, Councilman Campbell seconded. The motion to amend the ordinance passed by unanimous voice vote. Councilman Campbell moved to table Ordinance 2000-20, as amended, until the July 10, 2000 regular session, Councilman Klink seconded. The motion to table Ordinance 2000-20, as amended, passed 8-0 on a roll call vote.

The Clerk read Ordinance 2000-21 (An Ordinance Vacating Rheim Street in the City of Lafayette, Indiana, Petitioner, City of Lafayette) by title only for second and final reading. Councilman Meyer moved for passage, Councilman Fisher seconded. Ordinance 2000-22 passed 8-0 on a roll call vote.

President Rhoda stated that Ordinance 2000-22 (Sewage Works Revenue Bonds for 2000) would be considered later in the meeting.

The Clerk read Ordinance 2000-23 (An Ordinance to Transfer Money Within the Cumulative Capital Fund) by title only for second and final reading. Councilman Probasco moved for passage, Councilman Boehning seconded. President Rhoda welcomed the new City Controller Mona Holdcraft. Ms. Holdcraft explained the proposal. Councilman Meyer asked for a balance in the Cumulative Capital fund and Ms. Holdcraft stated that she would provide the information within a day. Ordinance 2000-23 passed 8-0 on a roll call vote.

The Clerk read Ordinance 2000-24 (An Additional Appropriation) by title only for second and final reading. Councilman Boehning moved for passage, Councilman Klink seconded. Mr. Burns explained that Indiana Code requires that if the City of Lafayette receives additional appropriations that the council must accept these funds into the city budget. Ordinance 2000-24 passed 8-0 on a roll call vote.

The Clerk read Ordinance 2000-25 (An Ordinance of the Common Council of the City of Lafayette, Indiana, Approving a Lease for Certain Public Improvements between the Lafayette Redevelopment Authority and the Lafayette Redevelopment Commission) by title only for second and final reading. Councilman Probasco moved for passage, Councilman Brown seconded. Sherry McLauchlan, Community Redevelopment Director, explained the proposal to approve the use of EDIT funds and eventually TIF funds to support a bond for the North Ninth Street project in the amount of \$3.5 million for the local share of the project. Councilman Campbell inquired about the construction timeline, and Ms. McLauchlan stated that construction should start in the fall of 2000. Ordinance 2000-25 passed 8-0 on a roll call vote.

Ordinances for First Reading:

The Clerk read Ordinance 2000-26 (An Ordinance Amending Chapter 3 of Ordinance No. 97-51 being the Unified Zoning Ordinance of Tippecanoe County, Amendment 17) by title only for first and final reading. Councilman Meyer moved for passage, Councilman Boehning seconded. Councilman Boehning explained the proposal to allow for the storage of tires on the property. Councilman Boehning stated that the Area Plan Commission staff recommended passage. Ordinance 2000-26 passed 8-0 on a roll call vote.

The Clerk read Ordinance 2000-27 (An Ordinance to Vacate a Portion of an Easement and Minimum Building Line in the City of Lafayette, Indiana, Petitioner, Zanik Corporation) by title only for first reading. Councilman Probasco moved for passage, Councilman Roswarski seconded. Councilman Probasco stated that the property is in his district in Wea Township and that no utilities are located in the area. Councilman Probasco stated that the engineer's office has reviewed the vacation request. Councilman Meyer stated that he is the sponsor of the ordinance and he recommended passage. Discussion ensued. Ordinance 2000-27 passed 8-0 on a roll call vote.

Councilman Campbell moved to set a public hearing on Ordinance 2000-27 for July 10, 2000 at 7:01 p.m., Councilman Probasco seconded. The motion passed by unanimous voice vote.

The Clerk read Ordinance 2000-28 (An Ordinance to Amend the Salary Ordinance to Create the Position of Director of Development and Director for Community Development) by title only for first reading. Councilman Klink moved for passage, Councilman Boehning seconded. Ms. McLauchlan explained the proposal that will upgrade an existing position to create the Director for Community Development. Councilman Klink asked about how other communities are set up with the two departments and Ms. McLauchlan stated that only one other community has a combined office. Councilman Klink commended the proposal that will help strengthen neighborhoods. Councilman Roswarski recommended that a salary range should be established in order to compensate for experience level. Ms. McLauchlan stated that the wage consultants are reviewing the position. Margy Deverall, 114 S. 27th Street and President of the Columbian Park Neighbors, spoke on behalf of the proposal and acknowledged neighborhood representatives that were present in support of the proposal. President Rhoda spoke in favor of the proposal. Ordinance 2000-28 passed 8-0 on a roll call vote.

The Clerk read Ordinance 2000-29 (An Ordinance to Add a New Chapter Regarding Use of Public Rights-of-way by Telecommunication Providers) by title only for first reading. Councilman Meyer moved for passage, Councilman Brown seconded. Mr. Burns explained the proposal. Councilman Campbell stated that the city should investigate if the proposal fee is fair. Mr. Burns stated that he would investigate fees charged by other cities to ensure fairness. Councilman Klink stated that he is concerned that the proposal may discourage high technology business growth. Councilman Klink stated that the Lafayette Urban Enterprise Association informed him that some communities exempt enterprise zone members. Councilman Meyer stated that he is generally in support of the concept to charge for the use of our right-of-way but he stated that he is open to discuss alternatives in order to continue to attract new business. Councilman Probasco suggested that the ordinance be assigned to a council committee to review the proposal before passage. Mr. Burns stated that there is no immediate need for passage of the ordinance. Discussion ensued. Elizabeth Kinder-Center requested a copy of the proposal. Councilman Campbell moved to table Ordinance 2000-29 until time uncertain, Councilman Probasco seconded. The motion to table Ordinance 2000-29 passed by unanimous voice vote.

President Rhoda assigned Ordinance 2000-29 to the Ordinance Committee.

Resolutions:

The Clerk read Resolution 2000-15 (A Resolution Adopting the Santefort Area Annexation Summary and Fiscal Plan) by title only for first and final reading. Councilman Probasco moved for passage, Councilman Fisher seconded. Resolution 2000-15 passed 8-0 on a roll call vote.

The Clerk read Resolution 2000-16 (A Resolution of the City of Lafayette, Indiana, Common Council Pledging the County Economic Development Income Tax Revenues Anticipated to be Received by the City of Lafayette to the City of Lafayette Redevelopment Commission to make Lease Rental Payments to the City of Lafayette Redevelopment Authority) by title only for first and final reading.

Councilman Campbell moved for passage, Councilman Klink seconded. Ms. McLauchlan explained the proposal. Resolution 2000-16 passed 8-0 on a roll call vote.

President Rhoda stated that the council would now hear Ordinance 2000-22. The Clerk read Ordinance 2000-22 (Sewage Works Revenue Bonds for 2000) by title only for second and final reading. Councilman Campbell moved for passage, Councilman Boehning seconded. Councilman Meyer moved to amend pages 1, 24, and 31 with the pages that had been distributed, Councilman Probasco seconded. The amendment was accepted by unanimous voice vote. Neal Steinbart, Barnes and Thornburg, explained the ordinance in detail. Ordinance 2000-22, as amended, passed 8-0 on a roll call vote.

There were no Reports of Standing Committees.

There were no reports of Special Committees.

Report by Mayor Heath: Mayor Heath thanked council for their support on the North Ninth Street project. Mayor Heath announced that the grand opening of Armstrong Park had taken place and that the park is very busy and ready for summer. Mayor Heath once again welcomed Mona Holdcraft as the new City Controller. Mayor Heath expressed his thanks for the changes in the Development Office and stated that neighborhood issues are very important to the city. Mayor Heath stated that the 2001 budget is being developed and would be presented to council as soon as it is drafted. The Mayor stated that the right-of-way issue needs to be looked at closely in order to be able to continue to attract high-tech jobs to the entire community.

There was no Miscellaneous or New Business.

Reports of Councilmen: Councilman Fisher stated that council had received the Compliance with Statement of Benefits for tax abatements and Councilman Fisher moved to accept the document, Councilman Klink seconded. Lengthy discussion ensued regarding council action on these documents. The Compliance with Statement of Benefits, as accepted by the Redevelopment Commission on May 25, 2000, was accepted by unanimous voice vote.

Public Comment: Mr. Bunch had several questions regarding the property on Gravier Street. Mr. Burns suggested that Mr. Bunch meet with the City Engineer's office to address the questions.

City Clerk Lisa Decker reminded council that there would be a special session on July 5, 2000 at 6:30 p.m.

There being no further business to come before the Council, Councilman Campbell moved to adjourn, Councilman Probasco seconded. The motion to adjourn passed by unanimous voice vote.

Time being 8:16 p.m.

Minutes prepared by Lisa Decker, City Clerk.

A tape recording of this council meeting is maintained in the City Clerk's Office.